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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES – GENERAL

Case No. 2:24-cv-01965-FWS

Date: November 5, 2024

Title: In Re: Treetop Development, LLC

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Present: **HONORABLE FRED W. SLAUGHTER, UNITED STATES DISTRICT JUDGE**

Melissa H. Kunig  
Deputy Clerk

N/A  
Court Reporter

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

Not Present

Not Present

**PROCEEDINGS: ORDER DISMISSING APPEAL AS MOOT**

On February 22, 2024, Appellant City of Los Angeles (“Appellant”) appealed the bankruptcy court’s February 9, 2024, Order Granting in Part and Denying in Part Plaintiff’s Amended Motion for Partial Summary Judgment, or in the Alternative, Summary Adjudication Against the City of Los Angeles (“February 9, 2024, Order”). (Dkt. 1.) On March 13, 2024, the appeal was transferred to this court. (See Dkts. 2-4.) On March 22, 2024, Appellant filed a Petition for Permission to Appeal in the Ninth Circuit (“Petition”). (Dkt. 10 ¶ 4.)

On April 5, 2024, Appellant and Appellee Treetop Development, LLC (“Appellee”) filed a Joint Stipulation requesting that the court stay this appeal pending the Ninth Circuit’s decision regarding the Petition. (Dkt. 10.) The court granted the Joint Stipulation and stayed this appeal on April 19, 2024. (Dkt. 11.) On April 25, 2024, the Ninth Circuit granted Appellant’s Petition. (Dkt. 12.) On September 24, 2024, the Ninth Circuit issued a decision reversing the February 9, 2024, Order and remanding the case. (Dkts. 14; 15.)

On October 18, 2024, the court ordered to the parties to either file a joint status report as to the status of the appeal pending before this court or dismiss the appeal. (Dkt. 18.) The parties filed a Joint Status Update on November 1, 2024, which states “[i]n light of the Ninth Circuit’s decision to hear this appeal, the appeal is no longer pending in the District Court.” (Dkt. 19 at 3.) Because the parties indicated that this bankruptcy appeal has been resolved by

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the Ninth Circuit's Order, the court **DISMISSES** this bankruptcy appeal **AS MOOT**. The clerk is respectfully directed to close the case.

**IT IS SO ORDERED.**

**CC: BANKRUPTCY COURT**

**BAP**